

UNITED STATES DISTRICT COURT
for the

EASTERN District of CALIFORNIA

United States of America)
v.)
THEODORE R. STOVALL) Case No: 2:05CR00053 01
Date of Previous Judgment: 04/20/2006) USM No: 15577-097
(Use Date of Last Amended Judgment if Applicable)) DAVID M. PORTER, AFD
Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 72 MONTHS months **is reduced to** 60 MONTHS.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 23 Amended Offense Level: 21
Criminal History Category: V Criminal History Category: V
Previous Guideline Range: 84 to 105 months Amended Guideline Range: 70 to 87 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 4/20/2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: 04/11/2008

/s/ D. Lowell Jensen

Judge's signature

Effective Date: _____
(if different from order date)

D. LOWELL JENSEN

Printed name and title